

# PROCLAMATION

No. 15103

By The

Governor of the State of Texas

Executive Office

May 17, 1935.

*To All to Whom These Presents Shall Come:*

WHEREAS, House Bill No. 680,

"AN ACT regulating the use of State-owned motor vehicles by employees of State Departments, Bureaus, Commissions, Institutions and Agencies in political campaigns; providing said cars may not be used except for carrying out business of the State; providing any one violating the provisions of this Act shall be dismissed from the State's employ; providing no employee of the State shall campaign or solicit votes in any manner whatever for the head of his department or any other candidate seeking public office; providing no car may be used for the personal or family use of an employee; fixing penalties, and declaring an emergency,"

was duly passed by the Forty-fourth Legislature in Regular Session and is now before me, as Governor, for approval or veto; and

WHEREAS, Said Act not only prohibits State employees from using State-owned motor vehicles in political campaigns, but contains the following broad and all inclusive prohibition:

"No employee in any Department or branch of the State Government or State relief organization shall campaign or solicit votes in any manner whatever for the head of his or her department or any other candidate seeking public office"; and

WHEREAS, This prohibition does not merely apply to political activities on State time, or the hours during which an employee is working, but seeks to regulate the conduct of such employees in leisure hours or when off duty, or on vacation, and, in my judgment, constitutes an unreasonable deprivation of the natural and constitutional rights of free born Texas citizens whether they are employed by the State, or not; and

WHEREAS, The quoted provision is so broad that if the conduct or acts of an employee were attacked or questioned in a political campaign, such employee would be denied the right even to defend himself or to explain the challenged transaction before the public without subjecting himself to criminal prosecution; and

WHEREAS, My immediate predecessor vetoed a similar bill passed by the Forty-third Legislature, and called attention to these defects in that bill; and

WHEREAS, This bill nowhere attempts to restrict the activities of other public employees such as employees of counties, cities and school districts, who are free to exercise their free born American rights without fear of penalty while State employees are denied these identical rights; and

WHILE I favor and would sign a bill prohibiting the use of State-owned motor vehicles for political or private purposes and the political activity on the part of public employees during the time for which they are paid out of the people's taxes; yet I am unwilling to sign a bill containing such a sweeping denial of the natural rights of a great class of Texas citizens who should be expected to be concerned, and to interest themselves, in public problems.

NOW, THEREFORE, I, James V. Allred, Governor of Texas, by virtue of the authority vested in me by the Constitution and Laws of this State, do hereby proclaim said bill vetoed for the reasons above set out and now on file in the office of the Secretary of State.

JAMES V. ALLRED  
*Governor of Texas*

(Seal)

By the Governor

(Signed) Gerald C. Mann  
Secretary of State